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good repair", the case of *Kansas City v. Corrigan*, 86 Mo. 67, held the contrary view and *Chicago v. Sheldon*, 9 Wall. 50, held that the duty "to keep in good repair and condition" extended to repairs only and not to the construction of a new pavement.

NEGLIGENCE—MANUFACTURER'S LIABILITY TO PUBLIC.—Plaintiff bought a carriage from a retail dealer. It was defectively made, and broke down, injuring him. He sues the manufacturer. *Held*, that the manufacturer was not liable. *Burkett v. Studebaker Bros. Mfg. Co.*, (Tenn. 1912) 150 S. W. 421.

The general rule is that a contractor, manufacturer, or vendor is not liable to third parties who have no contractual relations with him, for negligence in the construction, manufacture or sale of the articles he handles. *Winterbottom v. Wright*, 10 M. & W. 109; *Berger v. Standard Oil Co.*, 126 Ky. 155, 103 S. W. 245, 31 Ky. L. Rep. 613, 11 L. R. A. N. S. 238; *Heindirk v. Louisville Elevator Co.* 122 Ky. 675, 92 S. W. 668, 29 Ky. Law Rep. 193, 5 L. R. A. N. S. 1103; *Huset v. Threshing Machine Co.*, 120 Fed. 865, 57 C. C. A. 237, 61 L. R. A. 303; *Bank v. Ward*, 100 U. S. 195, 25 L. Ed. 621; *Curtin v. Somerset*, 140 Pa. 70, 21 Atl. 244, 12 L. R. A. 322, 23 Am. St. Rep. 220; *Heizer v. Kingeland & Douglas Mfg. Co.*, 110 Mo. 605, 19 S. W. 630, 15 L. R. A. 821, 33 Am. St. Rep. 482. One who sells or delivers an article which he *knows* to be imminently dangerous to the life and limb of another, without notice of its qualities, is liable to any person who suffers an injury therefrom which might have been reasonably anticipated, whether there were any contractual relations between the parties or not. *Langridge v. Levy*, 4 M. & W. 337; *Wellington v. Oil Co.*, 104 Mass. 64; *Lewis v. Terry*, 111 Cal. 39, 43 Pac. 398; *Huset v. Threshing Machine Co.*, *supra*; *Woodward v. Miller & Karwisch*, 119 Ga. 618, 48 S. E. 847, 64 L. R. A. 932; 100 Am. St. Rep. 188; *Thornton v. Dow*, (Wash.) 111 Pac. 899; *Kuelling v. Mfg. Co.*, 183 N. Y. 78, 75 N. E. 1098, 2 L. R. A. N. S. 303, 111 Am. St. Rep. 691, 5 Ann. Cas. 124; *Hasbrouck v. Armour & Co.*, 139 Wis. 357, 121 N. W. 157, 23 L. R. A. N. S. 876; *Statler v. Mfg. Co.*, 195 N. Y. 478, 88 N. E. 1063; *Olds Motor Works v. Shaffer*, 145 Ky. 616, 140 S. W. 1047, 37 L. R. A. N. S. 560. Negligence of manufacturer or vendor imminently dangerous to life or limb, and which is committed in the preparation or sale of an article intended to preserve, destroy, or affect human life, is actionable by third parties who suffer from the negligence. *Thomas v. Winchester*, 6 N. Y. 387, 57 Am. Dec. 455; *Norton v. Sewall*, 106 Mass. 143, 8 Am. Rep. 298; *Peters v. Jackson*, 50 W. Va. 644, 41 S. E. 190, 57 L. R. A. 428.

RAILROADS—AUTHORITY OF FREIGHT BRAKEMEN TO EJECT TRESPASSERS.—Plaintiff, while stealing a ride upon a freight train of the defendant railroad was forcibly ejected from the car by a brakeman in the employ of the defendant and sustained injuries. In support of his contention that the brakeman was acting in the scope of authority, the plaintiff relied upon the proposition that a brakeman of a freight is, by virtue of his position as such, vested with authority to remove trespassers. There was no evidence that